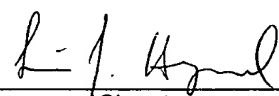




NOTICE OF APPEAL FROM THE EXAMINER TO THE BOARD OF PATENT APPEALS AND INTERFERENCES		Docket Number (Optional) PB324D1	
In re Application of Dillon et al.			
Application Number 09/956,004-Conf. #1504		Filed September 20, 2001	
For Nucleotide Sequence of <i>Escherichia coli</i> Pathogenicity Islands			
Art Unit 1631		Examiner C. Ly	
<p>Applicant hereby appeals to the Board of Patent Appeals and Interferences from the last decision of the examiner.</p> <p>The fee for this Notice of Appeal is (37 CFR 1.17(b)) \$ <u>330.00</u></p> <p><input type="checkbox"/> Applicant claims small entity status. See 37 CFR 1.27. Therefore, the fee shown above is reduced by half, and the resulting fee is: \$ _____</p> <p><input type="checkbox"/> A check in the amount of the fee is enclosed.</p> <p><input type="checkbox"/> Payment by credit card. Form PTO-2038 is attached.</p> <p><input checked="" type="checkbox"/> The Director has already been authorized to charge fees in this application to a Deposit Account. I have enclosed a duplicate copy of this sheet.</p> <p><input checked="" type="checkbox"/> The Director is hereby authorized to charge any fees which may be required, or credit any overpayment to Deposit Account No. <u>08-3425</u>. I have enclosed a duplicate copy of this sheet.</p> <p><input checked="" type="checkbox"/> A petition for an extension of time under 37 CFR 1.136(a) (PTO/SB/22) is enclosed.</p> <p>I am the</p> <p><input type="checkbox"/> applicant /inventor</p> <p><input type="checkbox"/> assignee of record of the entire interest. See 37 CFR 3.71. Statement under 37 CFR 3.73(b) is enclosed. (Form PTO/SB/96)</p> <p><input type="checkbox"/> attorney or agent of record. Registration number _____</p> <p><input checked="" type="checkbox"/> attorney or agent acting under 37 CFR 1.34(a). Registration number if acting under 37 CFR 1.34(a). <u>45,414</u></p> <p> _____ Signature</p> <p>_____ Typed or printed name Lin J. Hymel</p> <p>_____ Telephone number (301) 251-6015</p> <p>_____ Date December 9, 2003</p> <p>NOTE: Signatures of all the inventors or assignees of record of the entire interest or their representative(s) are required. Submit multiple forms if more than one signature is required, see below*.</p> <p><input type="checkbox"/> *Total of <u>1</u> forms are submitted.</p>			

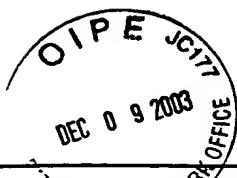


Image AF/1631

Use in lieu of PTO/SB/17 (08-03)
(Form updated to reflect FY 2004 fees effective 10/1/03)

FEE TRANSMITTAL for FY 2004 <small>Effective 10/01/2003, Patent fees are subject to annual revision.</small>		Complete if Known					
		Application Number	09/956,004-Conf. #1504				
<input type="checkbox"/> Applicant claims small entity status. See 37 CFR 1.27		Filing Date	September 20, 2001				
		First Named Inventor	Patrick J. Dillon				
		Examiner Name	C. Ly				
TOTAL AMOUNT OF PAYMENT (\$)		1,280.00	Art Unit	1631			
METHOD OF PAYMENT (check all that apply)		Attorney Docket No.		PB324D1			
<input type="checkbox"/> Check <input type="checkbox"/> Credit Card <input type="checkbox"/> Money Order <input type="checkbox"/> Other <input type="checkbox"/> None		3. ADDITIONAL FEES					
<input checked="" type="checkbox"/> Deposit Account: Deposit Account Number: 08-3425 Deposit Account Name: Human Genome Sciences, Inc.		Large Entity Small Entity					
The Director is authorized to: (check all that apply)		Fee Code	Fee (\$)	Fee Code	Fee (\$)	Fee Description	Fee Paid
<input checked="" type="checkbox"/> Charge fee(s) indicated below <input checked="" type="checkbox"/> Credit any overpayments		1051	130	2051	65	Surcharge - late filing fee or oath	
<input checked="" type="checkbox"/> Charge any additional fee(s) during the pendency of this application		1052	50	2052	25	Surcharge - late provisional filing fee or cover sheet.	
<input type="checkbox"/> Charge fee(s) indicated below, except for the filing fee to the above-identified deposit account.		1053	130	1053	130	Non-English specification	
FEE CALCULATION		1812	2,520	1812	2,520	For filing a request for ex parte reexamination	
1. BASIC FILING FEE		1804	920*	1804	920*	Requesting publication of SIR prior to Examiner action	
Large Entity	Small Entity	1805	1,840*	1805	1,840*	Requesting publication of SIR after Examiner action	
Fee Code	Fee (\$)	1251	110	2251	55	Extension for reply within first month	
1001	770	1252	420	2252	210	Extension for reply within second month	
1002	340	1253	950	2253	475	Extension for reply within third month	950.00
1003	530	1254	1,480	2254	740	Extension for reply within fourth month	
1004	770	1255	2,010	2255	1,005	Extension for reply within fifth month	
1005	160	1401	330	2401	165	Notice of Appeal	330.00
SUBTOTAL (1) (\$)		1402	330	2402	165	Filing a brief in support of an appeal	
0.00		1403	290	2403	145	Request for oral hearing	
2. EXTRA CLAIM FEES FOR UTILITY AND REISSUE		1451	1,510	1451	1,510	Petition to institute a public use proceeding	
Total Claims	Extra Claims	1452	110	2452	55	Petition to revive - unavoidable	
Independent Claims	Fee from below	1453	1,330	2453	665	Petition to revive - unintentional	
Multiple Dependent	Fee Paid	1501	1,330	2501	665	Utility issue fee (or reissue)	
1202	9	1502	480	2502	240	Design issue fee	
1201	43	1503	640	2503	320	Plant issue fee	
1203	145	1460	130	1460	130	Petitions to the Commissioner	
1204	43	1807	50	1807	50	Processing fee under 37 CFR 1.17(q)	
1205	9	1806	180	1806	180	Submission of Information Disclosure Stmt	
SUBTOTAL (2) (\$)		8021	40	8021	40	Recording each patent assignment per property (times number of properties)	
0.00		1809	770	2809	385	Filing a submission after final rejection (37 CFR 1.129(a))	
**or number previously paid, if greater; For Reissues, see above		1810	770	2810	385	For each additional invention to be examined (37CFR 1.129(b))	
		1801	770	2801	385	Request for Continued Examination (RCE)	
		1802	900	1802	900	Request for expedited examination of a design application	
		Other fee (specify)					
		*Reduced by Basic Filing Fee Paid		SUBTOTAL (3) (\$)		1,280.00	
SUBMITTED BY		(Complete if applicable)					
Name (Print/Type)	Lin J. Hymel	Registration No. (Attorney/Agent)	45,414	Telephone	(301) 251-6015		
Signature		Date	December 9, 2003				